

FTC #34 Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decision to 17 December 2020

Application 2020-31 – Summerset Retirement Village – Waikanae

Date Submitted:	23 December 2020	Tracking #: 2020-B-07332
Security Level	In-Confidence	MfE Priority: <input type="checkbox"/> Urgent

	Action sought:	Response by:
To Hon David Parker, Minister for the Environment	Decision	TBA

Actions for Minister's Office Staff	Return the signed briefing to MfE. Send out attached letters (if agreed and signed).
Number of appendices and attachments	Titles of appendices: 1. Letters from the Minister for the Environment to relevant Ministers of the Crown.

Ministry for the Environment contacts

Position	Name	Cell phone	1 st contact
Principal Author	Arron Cox		
Responsible Manager	Madeleine Berry	s 9(2)(a)	✓
Director	Keita Kohere	s 9(2)(a)	

FTC #34: Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decision to 17 December 2020

Key Messages

1. We are seeking your decision on a Stage 1 application for referral of a project to an expert consenting panel (panel) under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA), for Summerset Villages (Waikanae) Limited.
2. Summerset Villages (Waikanae) Limited has applied under section 20 of the FTCA, for the Proposed Retirement Village, Park Avenue, Waikanae. The Project involves the construction and operation of a retirement village in Waikanae.
3. This briefing seeks your decision on providing the application to, and inviting comments from, Ministers listed in section 21(6) of the FTCA, the Minister for Seniors, local authorities and Waka Kotahi NZ Transport Agency and seeking further information from the applicant.
4. We have undertaken an initial (Stage 1) analysis of the applications and recommend you progress the Proposed Retirement Village, Park Avenue, Waikanae project to the next stage.
5. A summary of the analysis and our recommendations for the applications is provided in Table A. You are the sole decision maker for this project (these are not in the coastal marine area).
6. Table B indicates how applications we have received for referred projects under the Act are advancing through the fast-track process. Table C indicates progress of Listed Projects received by the Environmental Protection Authority. We will continue to monitor and report progress to you.

Action Sought

7. Please indicate your decision on the recommendations for the application listed in Table A.

Signature

Madeleine Berry
Acting Manager – Fast Track Consenting

Table A: Stage 1 initial assessment of project eligibility – project where the Minister for the Environment is the only decision maker

Projects to progress

Project details	Project description	Project Funding	Is the Project ineligible for referral [s18(3)]	Will the project help to achieve the purpose of the FTCA? [s18(2)]					Any other relevant matters [s19(f)]	Recommendation	Decision
				Economic benefits and costs for people or industries affected by COVID-19 [s19(a)]	Effect on social and cultural wellbeing of current and future generations [s19(b)]	Likelihood project will progress faster under the FTCA than would otherwise be the case [s19(c)]	Public benefit [s19(d)]	Potential for significant adverse environmental effects, including greenhouse gas emissions [s19(e)]			
<p>Project name Proposed Retirement Village, Park Avenue, Waikanae</p> <p>Applicant Summerset Villages (Waikanae) Limited</p> <p>Location 28 and 32 Park Avenue, Waikanae</p>	<p>This project involves the construction and operation of a retirement village and associated facilities in Waikanae (Project).</p> <p>The village will include:</p> <ul style="list-style-type: none"> approximately 217 separate independent living units a building housing approximately 76 assisted living suites and approximately 43 care beds a range of resident amenities including recreational facilities, a cafe, restaurant, swimming pool, library, recreation centre, cinema and residents' shop supporting facilities and infrastructure. <p>The Project will consist of the following activities:</p> <ul style="list-style-type: none"> bulk earthworks (and associated discharges) for roading and building platforms works on contaminated land and remediation diversion of water into wetlands discharge of stormwater and contaminants forest and vegetation clearance and offset planting and landscaping establishment of reserves for access and amenity 	<p>The applicant has stated that they have funding to complete this Project. The applicant is a wholly owned subsidiary of Summerset Group Holdings, a listed company on the NZX and with extensive experience across New Zealand in the aged care sector.</p>	<p>The Project is not disqualified from referral as based on available information it does not:</p> <ul style="list-style-type: none"> include any prohibited activities include land returned under a Treaty settlement occur in a customary marine title area or protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011. <p>As detailed in this table our initial assessment indicates that this Project has the potential to meet the purpose of the FTCA.</p>	<p>During construction up to 10 people will be employed full time. The Project will also provide short term employment for 50 to 150 people at various stages of construction.</p> <p>Once operational the village will provide 30 to 50 jobs.</p> <p>The applicant notes the whole Project will take 5 to 7 years to complete meaning these jobs may not be provided within the timeframes of the FTCA.</p> <p>The applicant has advised that the Project will support local employment and source materials from local businesses.</p> <p>The applicant anticipates the Project will invest approximately \$150 million in the local area.</p> <p>On previous applications seeking to refer a retirement village project the previous Minister for Seniors (Tracey Martin)</p>	<p>The Project intends to provide quality housing and care to aged people.</p> <p>The applicant has engaged with Te Ātiawa ki Whakarongotai and Muaupoko, two of the relevant iwi authorities. They have agreed to engage with Te Ātiawa ki Whakarongotai, in the development of management plans.</p> <p>There are another two relevant iwi authorities (Ngāti Toa Rangatira and Ngāti Raukawa ki te Tonga) that the applicant has not engaged. We recommend seeking further information from the applicant on how they intend to engage with these groups.</p>	<p>The applicant has lodged consent applications for this Project with Kāpiti Coast District Council and Greater Wellington Regional Council. No notification decisions have been made by the Councils. The applicant has put these applications on hold pending your decision on referring the Project.</p> <p>The applicant has advised that if the applications continued under the standard RMA processes both Councils have indicated that the corresponding applications would be subject to a public notification process.</p> <p>The applicant considers that the expert consenting panel can help resolve these issues and bring forward the granting of the consent.</p>	<p>The Project has the potential to provide economic benefits and employment.</p> <p>The Project will provide housing for aged people. Kāpiti Coast District Council's strategic growth analysis identifies a need for housing for people over 50 in the Wellington region.</p> <p>The applicant has stated that there is a potential for the Project to enhance natural wetlands adjacent to the site. The panel will be able to consider positive effects when considering the application if it is referred.</p>	<p>The Project has the potential for the following adverse environmental effects:</p> <ul style="list-style-type: none"> Increase in traffic from construction and the development once it is operational. Increase in stormwater runoff to wetlands. Works close to wetlands and streams may have adverse effects on their ecology. Works close to and within wetlands may have impacts on their hydrology and their ability to convey flood flows. Removal of 2.25 hectares (68%) of Mahoe forest (valuable habitat per the assessment). Impacts on landscape and visual amenity. Construction effects including erosion and sedimentation, dust, noise and vibration. Increase in demand on water, wastewater and stormwater services. <p>We recommend seeking information from the applicant on the archaeological authority they have for the site and whether changes to the authority are needed include the considerations of Ngāti Toa Rangatira and</p>	<p>The National Policy Statement for Urban Development (NPSUD) and the National Policy Statement for Freshwater Management (NPSFM) are relevant to this project.</p> <p>We are unable at this stage to determine if the application is consistent with these policy statements and recommend seeking further information from the applicant on this aspect if you choose to progress the application.</p> <p>The Project may also require works within the designation for State Highway 1. This will require approval from Waka Kotahi NZ Transport Agency, the holder of the designation.</p>	<p>a. Note that section 23(3) of the FTCA permits you to decline an application for referral without inviting comments on an application from the relevant local authorities and any relevant Ministers.</p> <p>b. Note that the application has not been provided to or had any comments sought from relevant local authorities or relevant Ministers and that you are required to do so if you do not decline an application under section 23(3) of the FTCA.</p> <p>c. Note that section 21(3) of the FTCA permits you to forward an application to, and invite written comments from, any other person.</p> <p>d. Note that section 22 of the FTCA permits you to request further information from the applicant at any time before you decide whether to accept or decline an application.</p> <p>e. Agree to progress the Summerset Villages (Waikanae) Limited application to Stage 2 of the process. The Project warrants further analysis because it has potential to achieve the purpose of the FTCA (section 19(a), 19(d)(ii) and 19(d)(iii)).</p> <p>f. Agree that the application is to be provided to, and that you invite comments from:</p> <ul style="list-style-type: none"> The Ministers listed in section 21(6) of the FTCA; The Minister for Seniors as this is an application for a retirement village and may be of interest to the Minister Greater Wellington Regional Council Kāpiti Coast District Council Waka Kotahi NZ Transport Agency as the Project may 	<p>Yes/No</p> <p>Yes/No</p>

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				Economic benefits and costs for people or industries affected by COVID-19 [s19(a)]	Effect on social and cultural wellbeing of current and future generations [s19(b)]	Likelihood project will progress faster under the FTCA than would otherwise be the case [s19(c)]	Public benefit [s19(d)]	Potential for significant adverse environmental effects, including greenhouse gas emissions [s19(e)]			
	<ul style="list-style-type: none"> establishment of supporting infrastructure (roading, pedestrian linkages, parking, water, wastewater, stormwater including stormwater ponds) establishment of to identify and promote the village and other associated works within the scope of the Project. <p>The applicant will require land use consents and water and discharge permits to construct and operate the retirement village.</p>			<p>noted in comments that the aged care sector continues to struggle to attract New Zealanders to fill roles, and regularly calls on government to relax immigration settings to enable them to meet current and future demand.</p> <p>If you choose to progress this application, we recommend seeking further information from the applicant on the jobs that will be provided in the next two years, and how many of these jobs can be provided by local people.</p>		We recommend seeking further information on the current status of the consent applications lodged with the Councils and the time saved through this process if you choose to progress this application.		<p>Ngāti Raukawa ki te Tonga.</p> <p>We recommend seeking comments on potential adverse effects from Greater Wellington Regional Council and Kapiti Coast District Council if you choose to progress this application.</p>		<p>impact the designation for State Highway 1.</p> <p>g. Agree that more information be sought from the applicant on:</p> <ul style="list-style-type: none"> The Project's consistency with the National Policy Statement for Urban Development and the National Policy Statement for Freshwater Management. Details of any engagement with Ngāti Toa Rangatira and Ngāti Raukawa ki te Tonga (the relevant iwi groups the applicant has not stated they have engaged with). A copy of the archaeological authority. Details of how many jobs the Project will create over the next two years, and how many of these jobs can be provided by local people. How the project would likely progress faster by using the processes provided by the FTCA than would otherwise be the case <p>h. Sign the attached (Appendix 2) letters to Ministers listed in section 21(6) of the FTCA and the Minister for Seniors.</p> <p>i. Note that while awaiting these comments and further information, the Ministry will, in consultation with the Office of Māori Crown Relations, prepare a report for the purpose of section 17 of the FTCA.</p>	Yes/No

Signed:

Hon David Parker
Minister for the Environment

Date